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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/734,538 | 12/12/2003 | Chien-Kuo Chang | 14104 B | 9710 |

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EXAMINER

AYRES, TIMOTHY MICHAEL

| | |
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| ART UNIT | PAPER NUMBER |
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3637

DATE MAILED: 09/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/734,538

Applicant(s)

CHANG, CHIEN-KUO

Examiner

Timothy M. Ayres

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This is a first office action on the merits of application SN 10/734,538.

Specification

1. The disclosure is objected to because of the following informalities:
 - On page 3, line 18, it refers to "FIGS. 1~5" and should be "FIGS 2~5".
 - On Page 6, line 15, the word "handing" should be "hanging".

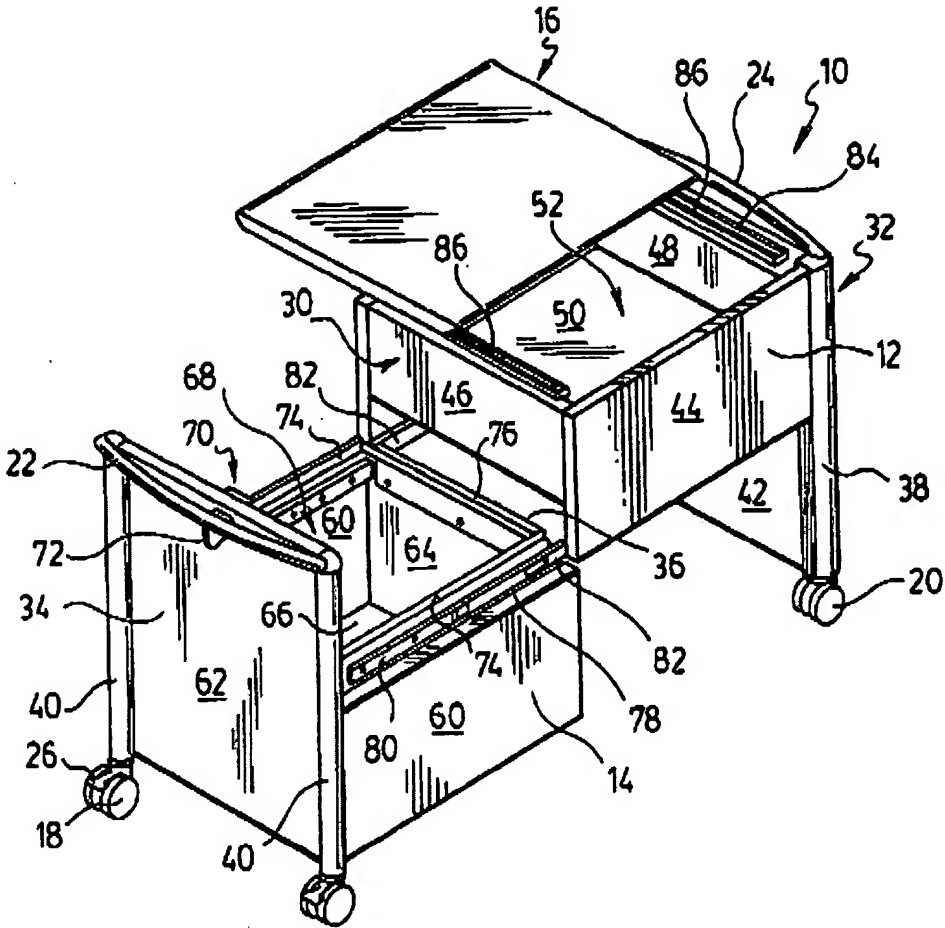
Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,209,977 to Vondrejs in view of U.S. Patent 5,570,792 to Huang. Vondrejs '977 discloses a mobile filing unit (10) that has a housing (12) with an open top side. A face panel (16) is connected to slides (84), which allow the face panel to open or close the opening in the top side of the housing. The slides (84) have two tracks (86) mounted inside the housing. Slide rails (second portion) are attached to the lower surface of the face panel (16) (Col. 5, line 24-27) and are movable relative to the tracks (86).

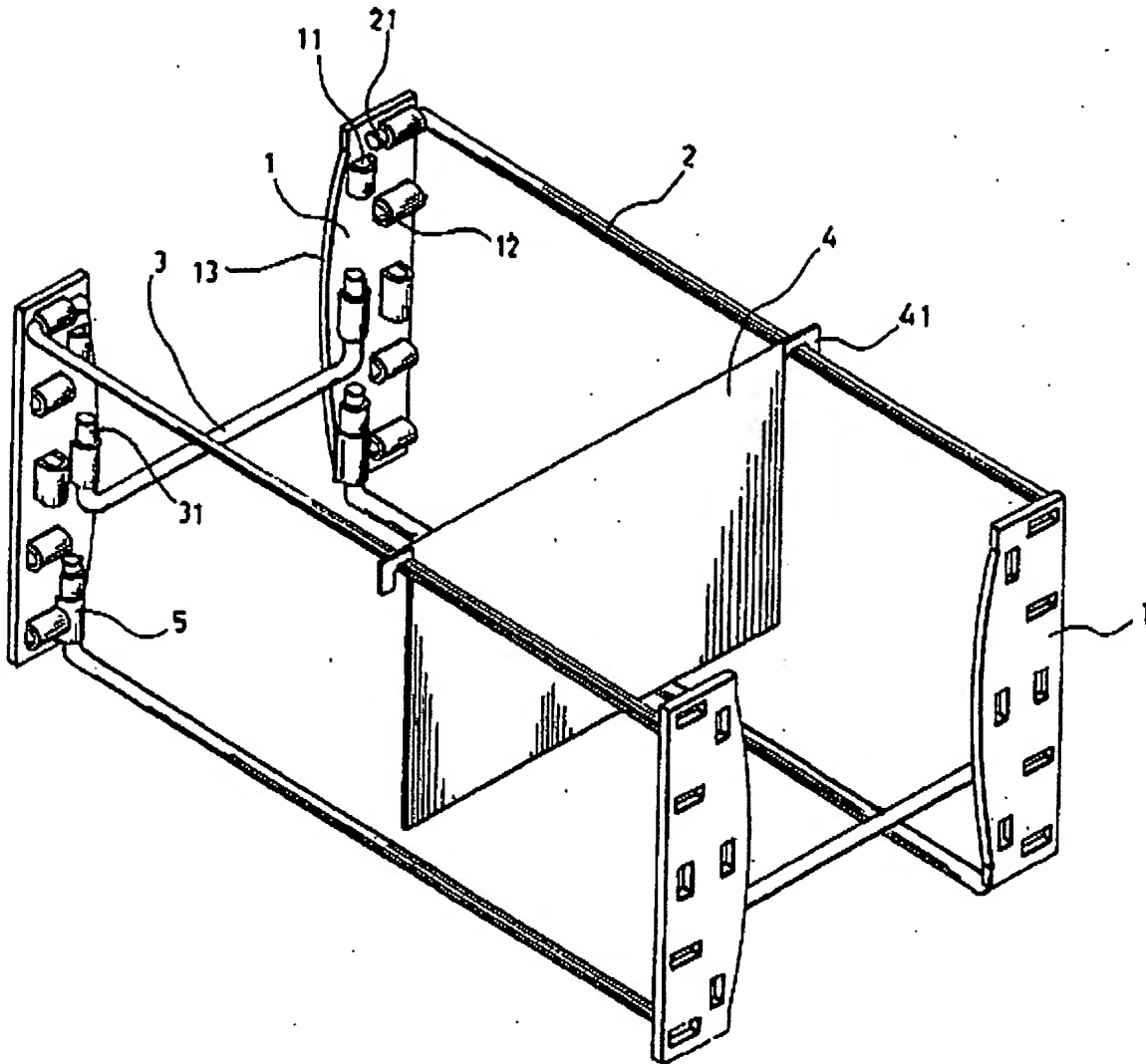


Vondrejs' '977 Figure 2

4. Vondrejs '977 does not disclose expressly a hanging rack mounted inside the housing made of rod members with mounting rings. Huang '792 discloses a hanging rack for hanging files made of two first rod members (2) in parallel with two second rod members (3) also in parallel and connected between the first rod members (2). At the distal ends (21,31) of the rod members (2,3) is a plate (1) with mounting rings (11,12), which inherently can be fastened to a housing. At the time of the invention it would have been obvious for a person skilled in the art to take the mobile filing unit of Vondrejs and

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use the hanging rack of Huang since the rack of Huang can be adjusted to fit files of different sizes.



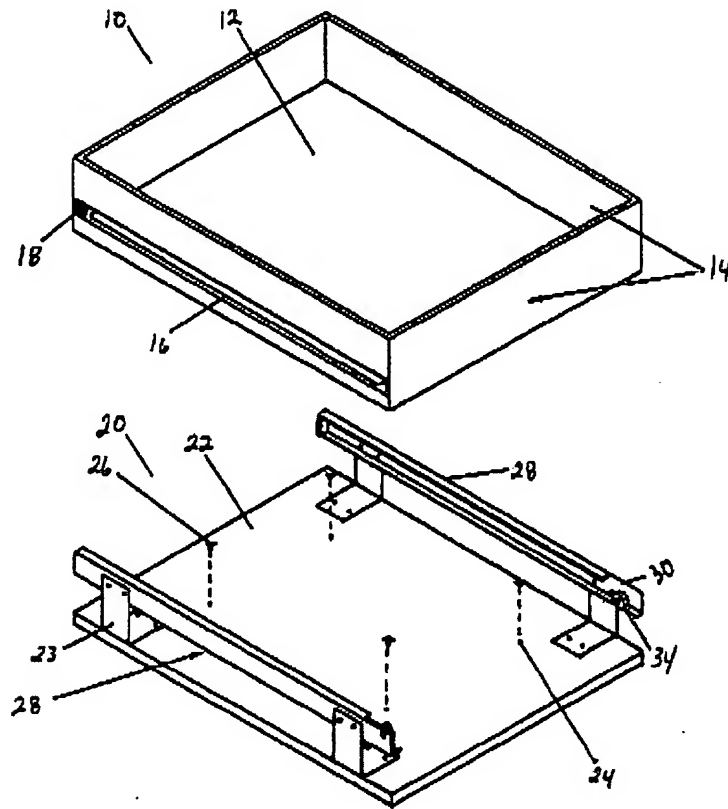
Huang '792 Figure 1

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,209,977 to Vondrejs in view of U.S. Patent 5,570,792 to Huang as applied to claim 1 above, and further in view of U.S. Patent 6,394,567 to Welch. Vondrejs '977

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modified by Huang '792 discloses every element as discussed above. Vondrejs '977 in view of Huang '792 does not expressly disclose the sliding rails with two lugs near two distal ends and the face panel with locating blocks on the bottom side that fasten to the lugs of the sliding rail. Welch '567 discloses a drawer (10) with tracks (16). The tracks (16) slideable engage slide rails (28) that are attached via lugs (23) to a base plate (22). It is well within the ability of a person of ordinary skill in the art to flip the slide rails (28) and tracks (16) so that the base plate (22) would be on top and become a face panel (22). At the time of the invention it would have been obvious to a person of ordinary skill in the art to flip the slide rails (28) and tracks (16) so that the base plate (22) would be on top and become a face panel (22) and then to use these rails with the mobile filing unit of Vondrejs modified by Huang since Vondrejs disclosed that the face panel can be opened by any means known in the art (Col. 5, line 16-22) and the slide rail with the lugs space the face panel away from the housing.

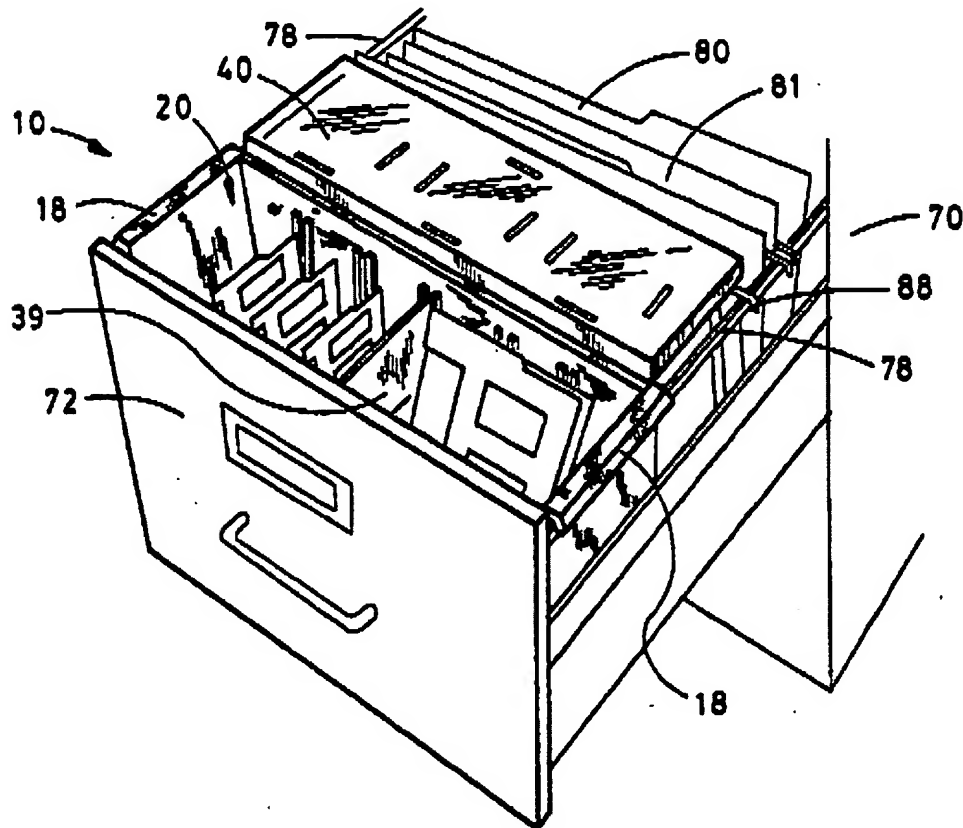
6. It would have been obvious matter of design choice to modify Welch by having blocks as spacers and using shorter lugs of the slide rail instead of longer lugs that extend to the surface of the face panel, since the applicant has not disclosed that having blocks there solves any stated problem or is for any particular purpose and it appears that the slide rail would perform equally well with blocks and shorter lugs.



Welch '567 Figure 1

7. Claims 4-6,8, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,209,977 to Vondrejs in view of U.S. Patent 5,570,792 to Huang as applied to claims 1 and 3 above, and further in view of U.S. Patent 5,219,216 to Hassel. Vondrejs '977 modified by Huang '792 discloses every element as discussed above. Vondrejs '977 in view of Huang '792 does not expressly disclose a storage box with a plurality of ribs inside and top hooks to hang from the hanging rack. Hassel '216 discloses a storage box (20) that has top hooks (18) to hang on hanging rails (78) of a housing (10). The storage box (20) has a plurality of ribs (29) disposed of on the inside,

which hold a vane (39) to divide the storage box (20) into a plurality of compartments. At the time of the invention it would have been obvious to take the mobile filing unit of Vondrejs modified by Huang and add the storage box of Hassel to hold computer disks.



Hassel '216 Figure 1

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,209,977 to Vondrejs in view of U.S. Patent 5,570,792 to Huang, and in further view of U.S. Patent 5,219,216 to Hassel as applied to claim 6 above, and further in view of U.S. Patent 6,394,567 to Welch. Vondrejs '977 modified by Huang '792, and further

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modified by Hassel '216 discloses every element as discussed above. Vondrejs '977 in view of Huang '792, and in further view of Hassel '216 does not expressly disclose the sliding rails with two lugs near two distal ends and the face panel with locating blocks on the bottom side that fasten to the lugs of the sliding rail. Welch '567 discloses a drawer (10) with tracks (16). The tracks (16) slideable engage slide rails (28) that are attached via lugs (23) to a base plate (22). It is well within the ability of a person of ordinary skill in the art to flip the slide rails (28) and tracks (16) so that the base plate (22) would be on top and become a face panel (22). At the time of the invention it would have been obvious to a person of ordinary skill in the art to flip the slide rails (28) and tracks (16) so that the base plate (22) would be on top and become a face panel (22) and then to use these rails with the mobile filing unit of Vondrejs modified by Huang, and further modified by Hassel since Vondrejs disclosed that the face panel can be opened by any means known in the art (Col. 5, line 16-22) and the slide rail with the lugs space the face panel away from the housing.

9. It would have been obvious matter of design choice to modify Welch by having blocks as spacers and using shorter lugs of the slide rail instead of longer lugs that extend to the surface of the face panel, since the applicant has not disclosed that having blocks there solves any stated problem or is for any particular purpose and it appears that the slide rail would perform equally well with blocks and shorter lugs.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent 3,006,710 to Petkwitz discloses a shelf that has slide rails with blocks. U.S. Patent 6,830,299 to Henriott discloses a slide using lugs and a block. U.S. Patent 3,944,080 to Hansen discloses a hanging file rack that uses mounting rings. U.S. Patent Publication 2003/0038565 to Walla discloses a hanging file rack that has parallel members and mounting rings. U.S. Patent 6,595,381 to Johnson discloses a container with a sliding top. U.S. Patent 2,328,019 to Jones discloses a desk with a sliding top that reveals files. U.S. Patent 772,326 to Allin discloses a filing system with a sliding top. U.S. Patent 3,281,193 to Murray discloses a mobile filing unit with adjustable hanging file rack and a top that opens.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy M. Ayres whose telephone number is (571) 272-8299. The examiner can normally be reached on MON-FRI 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TMA
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Tma

Janet M. Wilkens
JANET M. WILKENS
PRIMARY EXAMINER
Art Unit 3637